

REMARKS

The claims are 56 to 59, 61 to 69 and 71 to 80.

The double patenting rejection should be withdrawn. The ultimate parent application which eventuated in United States Patent No. 6,077,491 originally contained claims to NO<sub>x</sub> removal and other claims to particulate removal. By the initial Office Action of December 14, 1998, copy enclosed, the Patent and Trademark Office required restriction between these two claim types. Consequently, when United States Patent No. 6,077,491 issued it did not include claims to particulate removal. Applicant was obliged to file a divisional application to particulate removal which eventuated in United States Patent No. 6,322,762 B1, copy enclosed, cited by the Examiner as the basis for the double patenting rejection. The obviousness-type double patenting rejection could be overcome by applicant's filing a terminal disclaimer. However, given the fact that the Patent and Trademark Office has previously established a basis for division under 35 U.S.C. 121 between NO<sub>x</sub> removal and particulate removal in this series of patent applications, in the interest of consistency, the instant claims to NO<sub>x</sub> removal should not be rejected over the claims to particulate removal in United States Patent No. 6,322,762 B1 on the basis of double patenting. This double patenting rejection should be withdrawn.

Claims 56 to 59, 61 to 69 and 71 to 80 were rejected under 35 U.S.C. 112, second paragraph.

The Examiner's helpful suggestions have been faithfully adopted.

Claims 58 and 59 have been amended with the result that claims 56 and 58 are no longer duplicative.

The rejection under 35 U.S.C. 112, second paragraph, should be withdrawn.

No issues remain. This application is in condition for allowance. Such action is requested.

Respectfully submitted,

Dated: December 21, 2006

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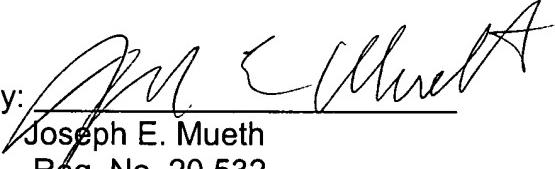
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